

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, DECEMBER 18, 2003
8:15 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:15 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY,
DECEMBER 11, 2003**

Stevens requested that Item 2C be corrected to reflect an affirmative vote by all commissioners and that the motion carried.

MOTION: Hudkins moved and Stevens seconded approval of the Staff Meeting minutes of December 11, 2003 with that correction. Workman, Hudkins, Heier and Stevens voted aye. Schorr was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Web Page Domain Name
- B. Amended Community Development Block Grant (CDBG) Request for Archer Daniels Midland (ADM)
- C. Schedule Discussion with Acreage Resource Group

Schorr arrived at 8:18 a.m.

MOTION: Stevens moved and Schorr seconded approval of the additions to the agenda. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

3 COMMISSIONER MEETING REPORTS

A. Information Services Policy Committee - Stevens

Stevens said the meeting was routine in nature.

B. Monthly Meeting of Public Building Commission (PBC) Chair/Vice Chair and Mayor - Hudkins

Hudkins reported on the status of the new parking garage.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring Committee - Workman, Stevens

Schorr reported discussion of a Lincoln Public Schools (LPS) bond, the City's plans to bond for infrastructure, the Lancaster Event Center and the State Fair.

D. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said there was a presentation on the Antelope Valley Project.

E. Youth Assessment Center (YAC) Meeting - Heier, Stevens

No report.

F. State Fair Park Committee - Heier, Stevens

No report.

4 FUTURE ORGANIZATIONAL STRUCTURE OF THE YOUTH ASSESSMENT CENTER (YAC) - Kit Boesch, Human Services Administrator

Kit Boesch, Human Services Administrator, presented information in response to questions raised at a previous Staff Meeting (Exhibit A):

- 1) Who runs Youth Assessment Centers in other counties and states?
- 2) How much will this cost and is there a cost comparison between the county-run operation and a non-profit agency?

Heier relayed personal observations of the Youth Assessment Center (YAC). He also expressed concern that the issue of how to address status offenders has not been resolved and that the juvenile court judges have not responded to a request for a standing order that will allow law enforcement to leave youth at YAC.

Boesch said protocols have been developed and will be sent to the appropriate parties for signature. She also reported that Gus Hitz, YAC Director, has resigned his position and requested authorization to appoint an interim director.

The Board thanked Hitz for his service to the County.

MOTION: Workman moved and Schorr seconded to authorize Kit Boesch, Human Services Administrator, to appoint an interim director from the County's classified service. Stevens, Schorr, Heier and Workman voted aye. Hudkins abstained from voting. Motion carried.

Boesch noted the following recommendations from the Juvenile Justice Review Committee (JJRC): 1) Contract the YAC management and assessment pieces out to competent non-profit agencies; or 2) Have YAC remain a stand alone county agency/department (see December 4, 2003 Staff Meeting minutes). She said it is in the best interest of the County to contract with a non-profit agency for the following reasons: 1) Non-profit agencies are experts in their field; 2) The County has worked successfully with non-profit agencies in the community; 3) Costs will be lower with a non-profit agency; 4) A projected loss of \$400,000 to \$500,000 in funding for juvenile services; 5) A public/private partnership to meet financial challenges; and 6) YAC has not met the Board's expectations and it is time to try something different. Boesch said the Juvenile Detention wants to run YAC and said "that is not in the best interest of the County financially and is not in the best interest of the community philosophically".

Terry Wagner, Lancaster County Sheriff, and Corey Steele, Juvenile Detention Expediter, appeared in support of having YAC remain a county-run agency, for reasons of control and efficiencies.

Gus Hitz, YAC Director, appeared and said he firmly believes the facility should be a stand alone agency under the County Board.

Renee' Dozier, Families First & Foremost (F³) Associate Director, appeared and suggested that the Board review the work plan for YAC (Exhibit B) and reassess what it wants YAC to do.

Jim Blue, Cedars Youth Services Executive Director, appeared and said his organization would like to assume management responsibility for YAC and addressed questions relating to retention of existing staff. He also said he believes it would be more beneficial to have staff cross-trained in community-based services, rather than cross-trained as Juvenile Detention Center staff.

Dennis Banks, Lancaster County Juvenile Detention Center Director, appeared and asked that he be allowed to run the YAC facility, stating he can do it more cost effectively with cross-training of staff. He said the County could then contract with the Child Guidance Center for the assessment piece.

Carol Crumpacker, Child Guidance Center Director, appeared and said she supports Banks' proposal to have detention staff handle intake and forward youth on to staff trained in assessment and community services. She said Child Guidance Center staff will be available at the Juvenile Detention Center on 24 hours a day/7 days a week basis once a Clinical Treatment Program for high risk offenders is up and running.

Kristy Mundt, Deputy County Attorney, clarified that the County's interlocal agreement with the City and protocols only address law violators, runaways and state wards.

Schorr asked whether the ability of law enforcement to drop youth outside those three areas off at YAC would change if the County contracted with a non-profit agency.

Mundt said she does not believe law enforcement has that authority, but will research the issue further.

Hitz noted that families and youth can voluntarily seek admission.

Kerry Eagan, Chief Administrative Officer, said that underscores the need for a Mobile Response Team.

Lori Griggs, Juvenile Probation Administrator, appeared and briefly addressed the subject of temporary detentions. She said she supports retaining the current staff and having YAC function as an independent county agency (see letter in agenda packet).

MOTION: Schorr moved and Stevens seconded to direct Kit Boesch, Human Services Administrator, to begin a transition period for the next six months to put forth a Request for Proposals (RFP) to a non-profit agency to manage the Youth Assessment Center (YAC) and asked that there be four points of priority when negotiating the contract: 1) Assume a 24 hour/7 day a week operation as soon as possible; 2) Review the community work plan for the Youth Assessment Center (YAC) to make sure that all points are

addressed; 3) Retain the three Youth Assessment Center (YAC) employees as county employees with oversight by the Human Services Administrator, with a "grandfather" clause for those three employees only; and 4) Contract will take effect approximately July 1, 2004, with a one year probationary period.

Hudkins said he believes any deficiencies are the fault of the County Board as the director did not have direct access to the Board and funding was not made available to make the facility a 24 hour/7 day a week operation. He said "I think we can make this work."

Stevens said he would like additional time to weigh alternatives.

ROLL CALL: Schorr voted aye. Stevens, Heier, Workman and Hudkins voted no. The motion failed.

Heier said it appears that YAC will remain with the County at this time.

Boesch said she needs direction from the Board on what type of interim director to put in place and a time frame for a decision on direction.

Stevens said he favors a six month time period for a decision.

Boesch explained that three additional employees are needed to have YAC a 24 hour/7 day a week operation by January 1, 2004 and asked whether she should hire temporary employees, county employees or contract for the service.

Banks suggested use of existing resources at the Detention Center.

MOTION: Hudkins moved to direct Kit Boesch, Human Services Administrator; and Dennis Banks, Lancaster County Juvenile Detention Center Director, to collaborate on staffing for a 24 hour/7 day a week operation and to bring back a proposal at the next Staff Meeting.

The motion died for the lack of a second.

MOTION: Hudkins moved and Workman seconded to: 1) Retain the Youth Assessment Center (YAC) as a county-run function and have it become a county agency with direct accessibility to the County Board; 2) Have the Youth Assessment Center (YAC) become a 24 hour/7 day a week operation, effective January 1, 2004, and to hire necessary staff in consultation with Dennis Banks, Lancaster County Juvenile Detention

Center Director; and 3) Direct Kit Boesch, Human Services Administrator, to hire an interim director for the Youth Assessment Center (YAC).

AMENDMENT: Workman moved to amend the motion to strike language that provides for direct accessibility to the County Board and asked that the motion be clarified to indicate employees for the 24 hour/7 day a week operation will be obtained through collaboration with Dennis Banks, Lancaster County Juvenile Detention Center Director, rather than hiring at this time.

There was no second and the maker of the motion withdrew the motion for amendment.

ROLL CALL: Hudkins, Workman and Heier voted aye. Schorr and Stevens voted no. Motion carried.

Also present were: Ann Hobbs, Juvenile Justice Coordinator; Michelle Schindler, Lancaster County Juvenile Detention Center Deputy Director; Lisa Christensen, Youth Assessment Center (YAC); Dennis Keefe, Public Defender; Sandra Miller and Petra Smith, Cedars Youth Services; and Nancy Mize, Pat Sailors and Michelle Grummert, Child Guidance Center.

5 QUESTIONABLE CLAIMS FROM EMERGENCY MANAGEMENT AND LANCASTER MANOR - Tim Genuchi, Accounting Operations Manager for the County Clerk's Office; Doug Ahlberg, Emergency Management Director

Questionable Claim from Emergency Management

Doug Ahlberg, Emergency Management Director, reviewed a questionable claim relating to a request for payment to Al Worley, Community Emergency Response Training (CERT) instructor, in the amount of \$816.67 (PV 693355176). He recommended payment of the claim.

The Board scheduled the item on the December 23, 2003 Board of Commissioners Meeting agenda.

The following documents were also disseminated: 1) Nebraska CERT Class Costs; and 2) Nebraska CERT Requested Classes and Assignments (Exhibits C & D).

Questionable Claim from Lancaster Manor

Eagan reviewed a questionable claim relating to a request for payment to Denise Schachenmeyer, in the amount of \$39.92, for the purchase of wine for the Lancaster Manor residents' Thanksgiving celebration (PV 0019746). He said the Board is not prohibited by law from paying the claim.

6 COUNTY SPECIAL PERMIT NO. 189A, AMENDMENT OF CHRISTIAN HERITAGE CHILDREN'S HOME SPECIAL PERMIT - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, reviewed County Special Permit No. 189A, a request from Christian Heritage Children's Home to amend the previously approved special permit by expanding the office building from 7,000 square feet to 9,800 square feet and to allow up to 32 full-time equivalent employees (previously approved for 16 employees) on property at South 148th Street and Old Cheney Road. He said there is a recommendation of conditional approval from the Planning Commission and Planning staff (Exhibits E & F).

7 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Eagan reviewed a list of legislative proposals.

MOTION: Hudkins moved and Stevens seconded to direct Gordon Kissel, Legislative Consultant, and Kerry Eagan, Chief Administrative Officer, to draft clarifying language regarding whether the 2% capital improvement tax can be used for construction of new facilities.

Schorr suggested that the Board seek a recommendation from the Visitors Promotion Advisory Committee (VPC).

The motion was held and no further action was taken on the motion.

MOTION: Hudkins moved and Stevens seconded to designate the following legislative priorities: 1) Clarify whether the 2% capital improvement tax can be used for construction of new facilities; 2) Administrative approval of final plats; and 3) Institute a registration fee for Public Defender Services. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates, said the Department of Correctional Services is seeking the County's position on legislation that it is seeking to introduce (see agenda packet).

Board consensus was to seek input from Mike Thurber, Corrections Director.

8 REMOVAL OF TREES IN COUNTY RIGHT-OF-WAY - Kristy Mundt, Deputy County Attorney; Larry Worrell, County Surveyor

Kristy Mundt, Deputy County Attorney, distributed copies of a letter sent to Michael and Melody Keele, 18000 Holdrege Street, indicating that trees and bushes located on their property are within the County's right-of-way and will be removed as they pose a safety hazard and interfere with normal road maintenance (Exhibit G).

Larry Worrell, County Surveyor, disseminated a map of the area (Exhibit H).

9 ACTION ITEMS

- A. Request from Kerry Eagan, Chief Administrative Officer, to Attend a One Day Seminar, "Recent Developments Impacting the 2004 Workplace in Nebraska", February 27, 2004 in Omaha, Nebraska

MOTION: Hudkins moved and Stevens seconded approval. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- B. Request for Pre-Tax Payroll Deduction for Parking Costs

MOTION: Workman moved and Stevens seconded to authorize a pre-tax payroll deduction for parking costs, contingent upon a legal opinion. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

- C. Request from the U.S. Board on Geographic Names to Name a Stream "Prairie Creek" and a Reservoir "Prairie Creek Lake" in Prairie Creek Estates

The Board scheduled the item on the December 23, 2003 Board of Commissioners Meeting agenda and asked that notification be given to Terry Genrich, Parks & Recreation Natural Resources Manager.

- D. Travel Advancement Request from Families First & Foremost (F³) for One Family Member and Two Non-Family Child Guidance Employees to Attend Conference in San Antonio, Texas

MOTION: Stevens moved and Workman seconded approval. Stevens, Schorr, Heier and Workman voted aye. Hudkins abstained from voting. Motion carried.

E. Hiring Request from Families First & Foremost (F³) - Administrative Aide II

MOTION: Workman moved and Stevens seconded approval. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

F. Hiring Request from County Treasurer - Account Clerk I

MOTION: Stevens moved and Hudkins seconded approval. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

10 ADMINISTRATIVE OFFICER REPORT

A. Committee Assignments (Relevance of Committees to County Board)

The Board made revisions to committee assignments (Exhibit I).

B. Chief Deputy Elected Officials Salaries

Dennis Keefe, Public Defender, appeared and said Robert Hays and Margene Timm were recently made chief deputies and said he is recommending that their salaries be increased to be comparable with the County Attorney's Office.

Norm Agena, County Assessor/Register of Deeds, appeared and explained that the recommendation of a 13.4% increase for Scott Gaines, Chief Administrative Deputy Assessor/Register of Deeds, takes him to 75% of Agena's salary.

Board consensus was to request additional information from the County Attorney regarding his recommendation of a 14.26% increase for Jodi Nelson.

C. Transfer of Appropriations for Indigent Screener

The Board scheduled the item on the December 23, 2003 Board of Commissioners Meeting agenda.

D. Enforcement of City Ordinances in the City's Three Mile Zoning Jurisdiction

Eagan said a letter requesting information on how a determination is made regarding which ordinances will apply within the City's three mile zoning jurisdiction was sent to the City Attorney's Office. He said no response has been received, to date.

E. Jamaica North Trail Update

Eagan gave a brief update on the Jamaica North Trail.

F. Reimbursement from Lincoln Electric System (LES) for Youth Detention Center Generator (\$2,791.35)

Eagan said Dave Kroeker, Budget and Fiscal Officer, has indicated that the funds will be rolled back into the Building Fund.

G. Follow-up on Juvenile Accountability Incentive Block Grant (JAIBG) Letter from U.S. Senator Hagel

Gwen Thorpe, Deputy Chief Administrative Officer, said Senator Hagel's Office has offered to assist the County in accessing Juvenile Accountability Incentive Block Grant (JAIBG) funds.

H. Request for Funding from Lincoln Partnership for Economic Development (LPED)

No action was taken.

I. Follow-up on Impact Fee Language in Comprehensive Plan

MOTION: Workman moved and Hudkins seconded to ask the Planning Department to take Comprehensive Plan Amendment No. 03007 off Pending. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

J. Lincoln-Lancaster County Ecological Committee Letter

Board consensus was to not respond to the letter.

K. Request for Liaison for Stevens Creek Citizen Advisory Committee

Workman agreed to serve as the County Board's liaison for the Stevens Creek Citizen Advisory Committee.

MOTION: Stevens moved and Hudkins seconded to ask City Public Works/Utilities to share the names of prospective candidates for the Stevens Creek Citizen Advisory Committee with the County Board prior to public release. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

L. Record Center Policy

The Board scheduled the item on the December 23, 2003 Board of Commissioners Meeting agenda.

ADDITIONS TO THE AGENDA

A. Web Page Domain Name

Thorpe reported on proposed changes to the InterLinc web page domain name (Exhibit J).

MOTION: Workman moved and Schorr seconded to: 1) Approve the web page domain name www.lincoln.ne.gov; and 2) Request that the web page domain name www.lancaster.ne.gov also be registered. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

The Board also requested to have input on the InterLinc Partners.

B. Amended Community Development Block Grant (CDBG) Request for Archer Daniels Midland (ADM) (Exhibit K)

MOTION: Workman moved and Schorr seconded to authorize the Chair to sign the amended request for Community Development Block Grant (CDBG). Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

C. Schedule Discussion with Acreage Resource Group

The Board asked staff to schedule discussion with the Acreage Resource Group.

11 ADJOURNMENT

MOTION: Stevens moved and Hudkins seconded to adjourn the meeting at 12:42 p.m. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk